

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

IN RE:

DÉCOR HOLDINGS, INC., *et. al.*,<sup>1</sup>

## Post-Confirmation Debtors.

x

Chapter 11  
Case No. 19-71020 (REG)  
Case No. 19-71022 (REG)  
Case No. 19-71023 (REG)  
Case No. 19-71024 (REG)  
Case No. 19-71025 (REG)  
(Substantively Consolidated)  
Hon. Robert E. Grossman

BRYAN RYNIKER, IN HIS CAPACITY AS LITIGATION ADMINISTRATOR OF THE POST-CONFIRMATION ESTATES OF DÉCOR HOLDINGS, INC., *et al.*

Plaintiff.

x

Adv. Pro. No. 20-08140 (REG)

## VALDESE WEAVERS, LLC.

Defendant.

x

## **JOINT PRETRIAL MEMORANDUM**

Plaintiff Brian Ryniker in his capacity as the Litigation Administrator (the “Litigation Administrator”) of the post-confirmation estates of Décor Holdings, Inc., *et al.* (the “Debtors”) and Defendant Valdese Weavers, LLC (“Valdese”), by and through counsel, submit this *Joint Pretrial Memorandum* pursuant to Paragraph 2 of the *Final Pretrial Order* [Dkt. No. 14].

<sup>1</sup> The debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Décor Holdings, Inc. (4174); Décor Intermediate Holdings LLC (5414); RAD Liquidation Inc. (f/k/a The Robert Allen Duralee Group, Inc.) (8435); RAD Liquidation LLC (f/k/a The Robert Allen Duralee Group, LLC) (1798); and RADF LLC (f/k/a The Robert Allen Duralee Group Furniture, LLC) (2835).

**(A) The name, address and telephone number of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises.**

Attached hereto as **Exhibits A and B** is the Litigation Administrator's and Valdese's witness lists, respectively. No witness not identified in Exhibits A and B shall be permitted to testify on either party's case in chief absent good cause shown.

**(B) A list of witnesses whose testimony is expected to be presented by means of a deposition and, if taken stenographically, a transcript of the pertinent portions of the deposition testimony.**

No such testimony will be given.

**(C) A list of witnesses intended to be called as experts, together with any objections to their qualification.**

No expert witness will be called by either party.

**(D) A list of (i) all exhibits stipulated to be admissible, (ii) plaintiff's proposed additional exhibits and (iii) any other party's proposed additional exhibits.**

Attached hereto as **Exhibits C and D** is the Litigation Administrator's and Valdese's exhibit lists, respectively. No exhibit not listed in Exhibits C and D may be used at trial except (a) for cross-examination purposes or (b) if good cause for its exclusion from the pretrial order is shown. Any objections not set forth in Exhibits C and D will be considered waived absent good cause shown.

**(E) A statement of any objection, together with the grounds therefor, reserved as to the admissibility of a deposition designated by another party and/or to the admissibility of documents or exhibits.**

The parties state that no deposition testimony is being designated by either party. The parties' objections to the admissibility of the other party's proposed documents and exhibits is found in **Exhibits C and D**, respectively.

**(F) Statement confirming that the parties have exchanged copies of the exhibits.**

The parties confirm that they have exchanged copies of the other party's exhibits, other than potential exhibits that are yet to be produced in connection with a trial subpoena.

**(G) Facts which are admitted and which require no proof.**

The parties stipulate to the facts in Exhibit E. These stipulated facts require no proof at trial and will become part of the evidentiary record in this case.

**(H) The issues of fact which remain to be litigated (evidence at trial shall be limited to these issues).**

The issues of facts, which remain to be litigated is contained in Exhibit F.

**(I) The issues of law to be determined.**

The parties' joint issues of law to be determined is contained in Exhibit G.

**(J) A brief statement summarizing the Plaintiff's case.**

The Litigation Administrator's brief statement summarizing his case is contained in Exhibit H.

**(K) A brief statement summarizing the Defendant's case.**

Valdese's brief statement summarizing its case is contained in Exhibit I.

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Dated: New York, New York  
June 28, 2022

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